
3d DECEMBER, 1804.

Read the first and second time, and ordered to be committed to a Committee of the whole House to-morrow.

A B I L L,

ESTABLISHING a Court for the Adjudication of Prizes, in certain cases.

1 **Be it enacted**, by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 That during the existence of war, between the United States, and
4 any of the predatory powers or states on the coast of Barbary in
5 Africa, it shall and may be lawful for the President of the United
6 States, by and with the advice and consent of the Senate, to ap-
7 point a judge of the admiralty, to reside (and to exercise the ju-
8 risdiction granted by this act) at some convenient place within the
9 territories of any nation, at war with the same power, and who may
10 consent to, and permit the same.

1 SEC. 2. *And be it further enacted*, That the said judge, shall and
2 may exercise the admiralty jurisdiction, usually exercised by the

3 district courts of the United States, for trying all cases of capture
 4 in the said war, by the armed vessels of the United States, and
 5 shall issue the same process, and proceed by the same laws, rules,
 6 and forms, as are prescribed for the said district courts, in like
 7 cases.

1 SEC. 3. *And be it further enacted*, That, (as this court is esta-
 2 blished with a view to the accommodation of citizens or subjects
 3 of neutral nations, having property in vessels or cargoes captured
 4 as aforesaid) it shall and may be lawful, for any neutral citizen or
 5 subject, who may claim property in any such vessel or cargo, up-
 6 on making sufficient proof to the said court, that he is *bona fide*
 7 a citizen or subject of a neutral nation, to appeal from any final
 8 decree of the said court, where the matter in dispute, exclusive of
 9 costs, exceeds the sum or value of
 10 dollars, to the supreme court of the United States. *Provided never-*
 11 *theless*, That such appeal shall be prayed, and granted or allow-
 12 ed, within _____ months from the passing of
 13 such final decree, and that the appellant shall give good security
 14 to prosecute the said appeal and to satisfy the condemnation and
 15 costs, if the decree be confirmed. *And provided always*, That the
 16 execution of the decree, shall not be suspended, by such appeal,
 17 if the party appellate, give good security to restore the vessel or
 18 cargo claimed, or the full value thereof, together with costs, if the
 19 decree be reversed.

1 SEC. 4. *And be it further enacted,* That upon such appeal, a
 2 transcript of the libel, claim, depositions, and all other proceed-
 3 ings in the cause, shall be transmitted to the said supreme court,
 4 which is hereby authorised and required to receive, hear, and de-
 5 termine such appeal, subject to the same rules and regulations,
 6 which are prescribed by law, for hearing and determining appeals,
 7 from final decrees rendered in any circuit court of the United
 8 States, in cases of admiralty jurisdiction.

1 SEC. 5. *And be it further enacted,* That the said judge shall and
 2 may appoint a marshal, and also a clerk of the said Court, who
 3 shall respectively perform all the duties, which are enjoined by
 4 law, usage, or custom, on any marshal or clerk of any district court
 5 of the United States, in similar cases; and shall receive the same
 6 fees respectively, as are by law allowed to any marshal or clerk
 7 for like services.

1 SEC. 6. *And be it further enacted,* That the President of the United
 2 States, by and with the advice and consent of the Senate, shall and
 3 may appoint a proctor for the United States, to reside at the same
 4 place with the said judge, whose duty it shall be to proceed accor-
 5 ding to the course of the admiralty, in the court established by
 6 this act, against any ship or vessel, her tackle, apparel, and fur-
 7 niture, together with her cargo captured in the said war, (and
 8 brought in for adjudication) by any armed vessel or vessels of
 9 the United States.

SEC. 7. *And be it further enacted*, That the said proctor, so long as he continues to perform the duties enjoined by this act, shall receive in addition to the fees allowed by law, for similar services in the district courts of the United States, a sum not exceeding
dollars, annually.

SEC. 8. *And be it further enacted,* That the said judge, so long as he continues to exercise the jurisdiction granted by this act, shall receive the annual sum of _____ dollars, payable quarter yearly at the treasury of the United States.

1 SEC. 9. *And be it further enacted,* That when in the opinion
2 of the President of the United States, it shall be proper so to do,
3 it shall and may be lawful for him, by proclamation to abolish
4 the said court, from which time, all the jurisdiction, authorities,
5 powers, and compensations, granted by this act, shall cease and
6 determine.